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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/842,241 | 04/24/2001 | Gregg Freishtat | P3985 | 7519 |

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| EXAMINER | |
|---|---|
| KAZIMI, HANI M | |
| ART UNIT | PAPER NUMBER |
| 3691 | |

| NOTIFICATION DATE | DELIVERY MODE |
|---|---|
| 10/29/2010 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/842,241 | FREISHTAT ET AL. | |
| | Examiner | Art Unit | |
| | Hani Kazimi | 3691 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *16 August 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *41-48 and 59-67* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *41-48 and 59-67* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed 02 June 2010.

### *Response to Arguments*

2. Applicant's arguments filed on August 16, 2010 with respect to the rejection(s) of claims 41-48 and 59-67 have been fully considered are not persuasive.

Applicant argues that Bezos fails to teach identification from both the associate website and the merchant web site. Without going into the merit of Applicant's statement, Examiner notes that the claim language does not teach (single) identification from both associate website and merchant website. Rather the claim language is in the ***alternative*** ( i.e., single identification for associate website ***or*** merchant website). Given the broadest reasonable interpretation of the claim limitation, the claim does not require that the identification of merchant website be the same as the associate website. Rather each website has a single (unique) identification which may be different.

2. Regarding claims 41 and 59, Applicant has amended the claim to recite that the information is identified to the customer as coming from either the first enterprise or the second enterprise. This is taught by Bezos. Bezos teaches two web-servers (Figure 5, see associate web server at associate web site and web server at merchant web site).

Given the claims, the Examiner interprets the Merchant web server as the second web-server or web site. Bezos teaches providing information or a service to a customer based upon a customer request (column 6, line 59 thru column 7, line 20). Bezos teaches, that if the request comes to the second enterprise (Amazon) through the web server at the first enterprise (associate web site web server), the information response or service provided by the second enterprise (Amazon) is identified as from the first enterprise (associate web site) (see at least column 14, line 62 thru column 15, line 16; Examiner notes that while the page displayed may be an Amazon, the associate web server/site/store ID is clearly identified to the user in the URL). Since the customer can view the URL, the information is identified to the customer.

3. Applicant also argues that the prior art fails to teach providing information or a service to the customer based upon the request from the customer, the information or service identified as from the second Web-site if it is determined that the request is directly from the customer, and identifying the information or service as from the first enterprise if it is determined that the request is from the customer communicating through a second web-server. The Examiner respectfully disagrees. Bezos specifically teaches that the invention allows the customer to maintain an associates web page from while viewing and processing product purchases at the merchant's web site (column 12, lines 27-41). Bezos teaches two web-servers (Figure 5, see associate web server at associate web site and web server at merchant web site). Given the claims, the Examiner interprets the Merchant web server as the second web-server or web site. Bezos teaches providing information or a service to a customer based upon a customer

request (column 6, line 59 thru column 7, line 20). Bezos teaches, that if the request comes to the second enterprise (Amazon) through the web server at the first enterprise (associate web site web server), the information response or service provided by the second enterprise (Amazon) is identified as from the first enterprise (associate web site) (see at least column 14, line 62 thru column 15, line 16; Examiner notes that while the page displayed may be an Amazon, the associate web server/site/store ID is clearly identified to the user in the URL).

Bezos further teaches that if the request comes directly from the customer, the information or response is identified as from the second enterprise (Amazon) (column 14, lines 21-37; Examiner notes that the customer can select a product directly from the merchant web site (Amazon) and if so, the store ID for the associate web site is left blank. Therefore, it as if the customer accessed Amazon directly). Even if direct access of a web-site is not taught by Bezos, Vittal teaches directly accessing a merchant web-site over the internet without the use of a portal or using a portal (column 5, lines 18-38; Examiner notes that the customer directly accesses the merchant server). For this reason, Bezos in view of Vittal does teach the identification teachings of claim 41.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 41-44, 47-49, 59-61, and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al. (hereinafter Bezos) U.S. Patent 6,029,141 in view of Vittal et al. (hereinafter Vittal) U.S. Patent 6,907,401 2001/0014881.

Claims 41, 42, 59 and 60, Bezos teaches a second Web server hosted by a second enterprise, comprising: a first mechanism receiving a request for information or services from a customer (column 6, line 59 thru column 7 and column 11, lines 28-42, line 5 and Figures 1 and 2); a second mechanism determining whether the request comes directly from the customer, or through a first Web server at a first enterprise (column 14, lines 1-51 and column 15, lines 51-60); and a third mechanism responding to the customer by the second enterprise with information or provided service to the request, the information or service is identified to the customer as coming from either the first enterprise or the second enterprise; (column 14, lines 1-51 and column 15, lines 51-60). Bezos teaches that if the request comes directly from the customer, the information or response is identified as from the second enterprise (Amazon) (column 14, lines 21-37; Examiner notes that the customer can select a product directly from the merchant web site (Amazon) and if so, the store ID for the associate web site is left blank. Therefore, it as if the customer accessed Amazon directly). Even if direct access of a web-site is not taught by Bezos, Vittal teaches directly accessing a merchant web-site over the internet without the use of a portal or using a portal (column

5, lines 18-38; Examiner notes that the customer directly accesses the merchant server). For this reason, Bezos in view of Vittal does teach the identification teachings of claim 41. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Bezos to include the teachings of Vittal because Vittal shows directly accessing a merchant site over the internet as is commonly done on the Internet and identifying the site as such as being directly from the site as taught by Bezos (no extra identifier for the intermediary site).

Claims 42 and 60, Bezos fails to teach a rules based filter for filtering the information or services. Vittal teaches a portal switch for electronic commerce in which users can search for a desired item from a merchant (column 5, lines 39-59). Vittal further teaches that the user can perform the search by either interrogating the aggregator catalog and data profile or by searching directly the merchant databases (column 5, lines 39-59). The merchant server is connected to the aggregator though the portal (column 5, line 60 thru column 6, line 6). Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bezos for access to a merchant's website either directly or through an associate with the portal communication and filtering teachings of Vittal because it allows for specific services/items to be made available to a user based on the manner in which the user is accessing/requesting the service.

Claims 43 and 61, Bezos fails to teach wherein the Web server provides personal information (PI) collection and aggregation services on behalf of the customers, and the information provided is at least partially derived from the aggregated PI. Vittal teaches that the portal collects and aggregates personal information on behalf of customers (column 6, lines 37-50 and column 8, lines 22-34 and column 9, lines 28-61).

Claims 44, Bezos fails to teach an internet portal. Vittal teaches access via an internet portal (column 5, lines 39 thru column 6, line 6).

Claims 47 and 65, Bezos and Vittal fail to teach a travel enterprise. Official Notice is taken that purchasing travel related services is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art to modify the teachings of Bezos in view of Vittal to for financial transaction to include the travel transactions because they are financial in nature and provide a service to a customer.

Claims 48 and 66, Bezos teaches wherein the specific services include one or more of (a) creating a new account, (b) authenticating the customer, (c) retrieving summary balance information, (d) retrieve detailed transactions, (e) initiating a funds

transfer from one account to another, (f) get a list of eligible rewards, or (g) redeem mileage points (column 14, lines 1-51 and column 15, lines 51-60).

Claims 49 and 67, Bezos fails to teach an internet portal. Vittal teaches access via an internet portal (column 5, lines 39 thru column 6, line 6).

6. Claims 45-46 and 62-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al. (hereinafter Bezos) U.S. Patent 6,029,141 in view of Vittal et al. (hereinafter Vittal) U.S. Patent 6,907,401 2001/0014881 in further view of Foster U.S. Patent 6,332,134.

Claims 45 and 63, Bezos in view of Vittal fails to teach teaches wherein the aggregated PI is collected from financial institutions having money deposited for the customer in one or more accounts. Foster teaches a financial institutions portal wherein the services include enabling the customer to accomplish one or more of transferring money from one account to another, and transferring money from an account to settle an obligation to a third party (column 12, lines 1-53).

Claims 46 and 64, Foster teaches wherein the transferring money to settle an obligation comprises paying a bill for either goods or services (column 12, lines 64-column 13, line 4).

Claim 62, Bezos in view of Vittal teach merchant websites, but fail to teaches wherein the second enterprise is one of a financial enterprise, a travel enterprise, or a security services enterprise. Foster teaches a financial transaction system in which a second enterprise is a financial enterprise(column 12, lines 1-53). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the merchant website teachings of Bezos in view of Vittal to include that the second enterprise is a financial enterprise because financial institutions provide specific and detailed information or services to customers.

## ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (571) 272-6745. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted
/Hani M. Kazimi/
Primary Examiner, Art Unit 3691
27 October 2010